

DEPARTMENT OF PLANNING  
STAFF REPORT

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**PLANNING COMMISSION PUBLIC HEARING**

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**DATE OF HEARING: October 15, 2007**  
**ZMAP 2006-0015, SPEX 2007-0007 – Arcola Center**  
**DECISION DEADLINE: February 2, 2008**  
**ELECTION DISTRICT: Dulles      PROJECT PLANNER: Ginny Rowen**

**EXECUTIVE SUMMARY**

Arcola Limited Partnership of Gaithersburg, Maryland has submitted an application to rezone approximately 312.3 acres from the PD-IP (Planned Development – Industrial Park), PD-CC-RC (Planned Development – Commercial Center- Regional Center), and the CLI (Commercial Light Industry) zoning districts to the PD-TC (Planned Development – Town Center), PD-IP (Planned Development-Industrial Park), PD-CC-RC (Planned Development-Commercial Center-Regional Center), R-8 (Single Family Residential), R-16 (Townhouse Multifamily Residential), and R-24 (Multifamily Residential) zoning districts to develop up to 1,194 residential units and 2,645,000 square feet of commercial and industrial uses. The applicant has also submitted special exceptions to allow the development of office uses and two hotels in the PD-IP and PD-CC-RC zoning districts. Zoning modifications have been requested to reduce yards/ setbacks, amend zoning district sizes, revise lot requirements and building heights, amend landscaping requirements, and to revise vehicular access requirements. The property is located on the north side of Route 50 and the south side of Evergreen Mills Road (Route 621) west of Loudoun County Parkway (Route 606).

**RECOMMENDATION**

Staff recommends that the applications be forwarded to committee for further discussion of the outstanding issues.

**SUGGESTED MOTIONS**

1. I move that the Planning Commission forward ZMAP 2006-0015 and SPEX 2007-0007, Arcola Center, to the Committee of the Whole for further discussion.

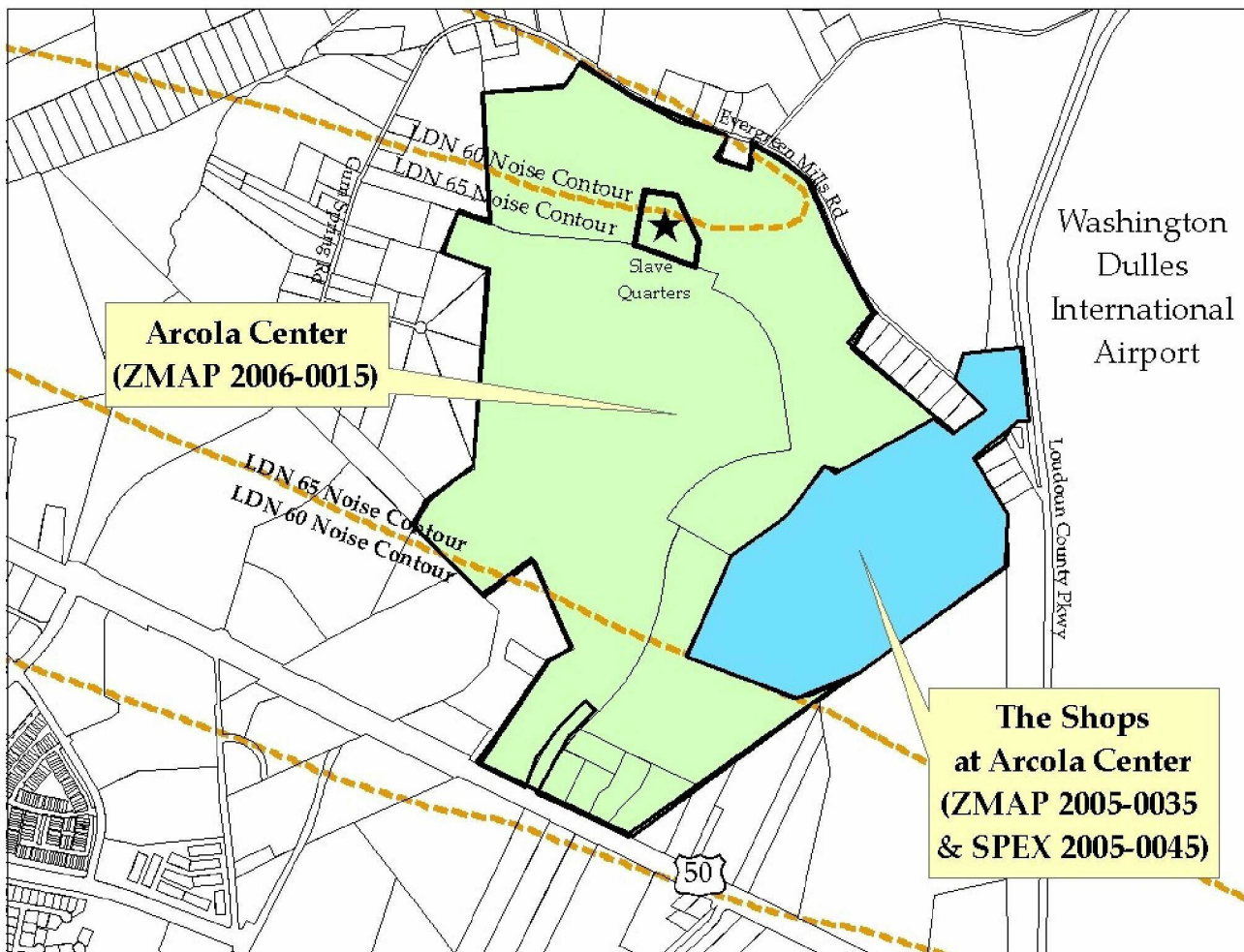
OR

2. I move an alternate motion.

## VICINITY MAP

### Directions:

From Leesburg, take Evergreen Mills Road (Route 621) south past Arcola. Turn right on Loudoun County Parkway and proceed south to Route 50. Turn right on Route 50 and proceed west approximately 1.6 miles to the property on the right.



Created by the Department of Planning, March 23, 2007. All boundaries are approximate.



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## I. APPLICATION INFORMATION

<b>APPLICANT</b>	Arcola Limited Partnership Buchanan Partners 9055 Comprint Court, Suite 200 Gaithersburg, Maryland 20877 301-417-0510
<b>REPRESENTATIVE</b>	Cooley Godward Kronish 11951 Freedom Drive Reston, Virginia 20190 703-456-8000
<b>APPLICANT'S REQUEST</b>	Rezone 312.3 acres to the PD-TC, PD-IP, PD-CC-RC, R-8, R-16, and R-24 zoning districts to develop up to 1,194 residential units and 2,645,000 square feet of commercial and industrial uses. The applicant has also requesting special exception approval to permit office uses and 2 hotels in the PD-IP and PD-CC-RC zoning districts.
<b>LOCATION</b>	On the north side of John Mosby Highway, west of Loudoun County Parkway and on the south side of Evergreen Mills Road
<b>TAX MAP/PARCEL #s</b>	Tax Map 101, Parcels 42, 43A (portion) and 97 (portion) (PIN # 163-36-7830, 163-27-3386 and 162-17-2899) and Tax Map 101C ((2)), Parcels 1 through 5 (PIN # 163-26-4764, 163-26-3341, 163-26-5032, 163-26-7931 and 163-26-9824).
<b>ZONING</b>	PD-IP (Planned Development – Industrial Park), PD-CC-RC (Planned Development – Commercial Center- Regional Center), and CLI (Commercial Light Industry)
<b>ACREAGE OF SITE</b>	Approximately 312.3 acres

### SURROUNDING ZONING/ LAND USES

<b>ZONING</b>		<b>PRESENT LAND USES</b>
NORTH	PD-IP, PD-GI/ RC	church/residential/undeveloped
SOUTH	CLI	residential / commercial
EAST	CLI / PD-CC	undeveloped / commercial
WEST	CLI / PD-GI / RC	residential / service station / undeveloped

## II. LAND USE IMPACT FACTORS

Categories	Factors
Proposed residential units by type	SFD: 0 SFA: 590 (includes ADUs) MF: 604 (includes ADUs)
Allowable residential units by-right (existing zoning – CLI / PD-CC-RC / PD-IP)	0
Current units existing and approved in the sub-area ( <i>projects of 20 units or greater</i> )	20,245 ( <i>Dulles sub-area, 2005 Growth Summary</i> )
Student generation from proposal	HS: 121 MS: 98 ES: 227 <b>Total: 446</b>
Schools assigned (by Name) Total capacity / student enrollment September 2006  <i>Note: School Board may modify attendance zones.</i>	<b>HS: Freedom</b> 1,598 / 1,029 <b>MS: Mercer</b> 1,121 / 1,117 <b>ES: Legacy</b> 883 / 1,054
Anticipated Capital Facility contribution	\$ 25,980,895 ( <i>based on currently adopted CIF</i> )
Proffered capital facility contribution by value and type	Cash: \$13,731,000 (\$11,500/ unit) Land: \$2.25 million - dedicate 10 acres to County – owned slave quarter's site (appraisal needed) & \$500,000 cash contribution for improvements Off-site road improvements: \$7.8 million
Proffered Transportation contributions / phasing	Construct 2-lanes of a 4-lane divided section of Arcola Blvd. from Evergreen Mills Rd. to Dulles South Pkwy.  Construct 2-lanes of a 4-lane divided section of Dulles South Pkwy. from Hutchinson Farm Dr. to Arcola Blvd.  Construct 3 <sup>rd</sup> westbound lane of Route 50 between western boundary and Gum Springs Rd.  Construct off-site portion of Arcola Blvd. from Dulles South Pkwy. to Route 50.  Construct off-site portion of Arcola Blvd. from Evergreen Mills Rd. to Dulles Trade Center property.  \$6 million regional road contribution

### III. SUMMARY OF DISCUSSION

Issue Area	Issues Examined and Status
Community Planning	<ul style="list-style-type: none"> <li>• Plan policies call for lower intensity development adjacent to Village of Arcola (outstanding issue).</li> <li>• Residential density in PD-TC (The Village) portion of property exceeds Plan policies (outstanding issue).</li> <li>• Proposed phasing plan does not ensure adequate balance between residential / non-residential development (outstanding issue).</li> <li>• Applicant should commit to maximum building heights for structures containing residential uses in PD-TC (The Village) district (outstanding issue).</li> <li>• Applicant should commit to minimum square footages / building heights for non-residential uses (outstanding issue).</li> <li>• Design Guidelines should be revised to provide specific commitments for each development component (outstanding issue).</li> <li>• Newly adopted housing policies under review (outstanding issue).</li> <li>• Applicant should provide 10-foot wide trails on both sides of Dulles South Parkway / Arcola Boulevard. Provide multi-use trail adjacent to Evergreen Mills Road frontage (outstanding issue).</li> <li>• Additional bicycle facilities needed throughout development (outstanding issue).</li> <li>• Additional information needed to determine if capital facilities impacts have been mitigated. Provide appraisal for 10-acre dedication to slave quarter site (outstanding issue).</li> <li>• Provide contribution to acquire open space easements (outstanding issue).</li> </ul>
Environmental	<ul style="list-style-type: none"> <li>• Applicant should commit to additional tree save areas and replant open space affected by agricultural activities (outstanding issue).</li> <li>• Applicant should commit to pervious surface trails in stream corridor areas (outstanding issue).</li> <li>• Applicant should commit to conduct highway noise study (outstanding issue).</li> <li>• Additional information needed regarding stormwater management approach (outstanding issues).</li> </ul>



Zoning	<ul style="list-style-type: none"> <li>• Clarifications / corrections needed on concept plan (outstanding issues).</li> <li>• Additional information needed for special exception requests (outstanding issues.)</li> <li>• Zoning modifications – insufficient justification for many of the requested modifications (outstanding issues).</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>• Dulles South Parkway - proffered improvements insufficient to mitigate traffic impacts (construct 2 lanes of a 4-lane divided facility - outstanding issue).</li> <li>• Arcola Boulevard - proffered improvements insufficient to mitigate traffic impacts (construct 2 lanes of a 4-lane divided facility - outstanding issue).</li> <li>• Route 50 - proffered improvements mitigate traffic impacts (no outstanding issues).</li> <li>• Off-site Arcola Boulevard South - proffered improvements acceptable, acquisition of right-of-way needed (outstanding issue).</li> <li>• Off-site Arcola Boulevard North - proffered improvements acceptable (no outstanding issues).</li> <li>• All traffic signals should be provided by applicant when warranted. \$200,000 limitation per signal should be removed (outstanding issues).</li> <li>• \$6 million contribution for regional road improvements should be earmarked for Route 50 interchange or other regional facilities (outstanding issue).</li> </ul>
Public Schools	<ul style="list-style-type: none"> <li>• 446 students anticipated. Legacy Elementary School over capacity. Twenty acre elementary school site needed (outstanding issue).</li> </ul>
Utilities	<ul style="list-style-type: none"> <li>• Adequate utility provisions to the site (no outstanding issues).</li> </ul>
Emergency Services	<ul style="list-style-type: none"> <li>• Site access, building code compliance, and contributions to volunteer emergency service providers (no outstanding issues).</li> </ul>
Proffers	<p>Proffer statement not approved to legal form – issues not resolved.</p> <p>Transportation improvements / \$6 million contribution for road improvements).</p> <p>Fire &amp; Rescue - one-time contribution proffered at zoning permit issuance \$120/unit (\$143,280) and \$0.15/ sf. Commercial (\$396,750). Consistent with other recent approvals and County policy.</p>

### III. FINDINGS

1. The proposed residential density in The Village component exceeds Plan policies.
2. The phasing plan does not ensure an adequate balance between residential and non-residential development.
3. Environmental impacts have not been mitigated.
4. Transportation impacts have not been mitigated.

### IV. PROJECT REVIEW

#### A. CONTEXT

This is a request to rezone approximately 312.3 acres to the PD-TC (Town Center), PD-IP (Industrial Park), PD-CC-RC (Regional Center), R-8 (Residential), R-16 (Townhouse Multifamily Residential), and R-24 (Multifamily Residential) zoning districts to develop up to 1,194 residential units and 2,645,000 square feet of commercial and industrial uses. The applicant is requesting special exceptions to allow the development of office uses and 2 hotels as well as numerous zoning modifications.

Arcola Center is proposed as a mixed-use community comprised of 8 components – The Village, Corporate Park, Residences at Main Street, Main Street, The Shops (approved in June, 2007), Business Park, The Offices, and Central Park (as depicted below).



In June, 2007, the applicant received approval to develop up to 750,000 square feet of retail and services uses in the eastern portion of Arcola Center (ZMAP 2005-0035 – Arcola Center – The Shops – see Vicinity Map on page 2). The current applications include the remainder of the Arcola Center project, and consist of office, industrial, residential, retail / service uses, open space and recreational uses.

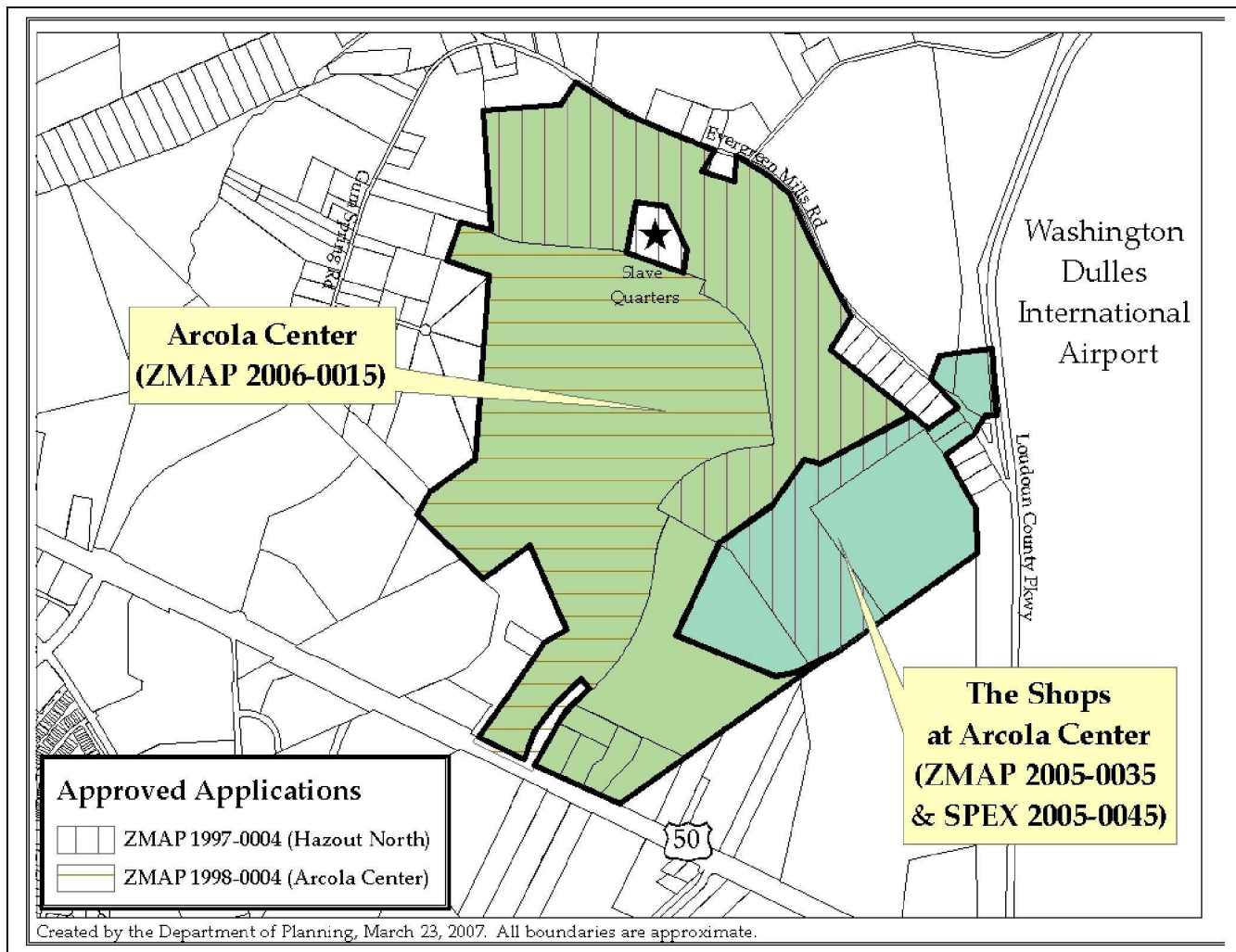
The current applications include areas of the Arcola Center property that were previously approved for a retail center (ZMAP 1998-0004, Arcola Center) and industrial uses (ZMAP 1997-0004, Hazout North). The following tables / graphics provide a breakdown of the approved Arcola Center applications as well as the pending applications currently under County review.

### PREVIOUSLY APPROVED ARCOLA CENTER APPLICATIONS

	<b>ZMAP 1998-0004, Arcola Center (156 ac.)</b>	<b>ZMAP 1997-0004, Hazout North (146 ac.)</b>	<b>Total (302 acres)</b>
Office	200,000 sf	-	200,000 sf
Retail	811,500 sf	-	811,500 sf
Flex Industrial	-	1,871,000 sf	1,871,000 sf
<b>Total</b>	<b>1,011,500 sf</b>	<b>1,871,000 sf</b>	<b>2,882,500 sf</b>

### CURRENT / RECENTLY APPROVED ARCOLA CENTER APPLICATIONS

	<b>ZMAP 2005-0035 / SPEX 2005-0045, Arcola Center – The Shops (79.6 acres)</b>	<b>ZMAP 2006-0015 / SPEX 2007-0007, Arcola Center (312 acres)</b>	<b>Total (391.6 acres)</b>
<b>Non-Residential Uses</b>			
Office / Industrial	-	2,215,000 sf	2,215,000 sf
Retail	750,000 sf	430,000 sf	1,180,000 sf
<b>Residential Uses</b>			
Single Family Attached	-	590 units	590 units
Residential (over retail or office)	-	69 units (included in mf)	69 units
Live/Work	-	15 units (included in mf)	15 units
Multifamily	-	604 units	604 units

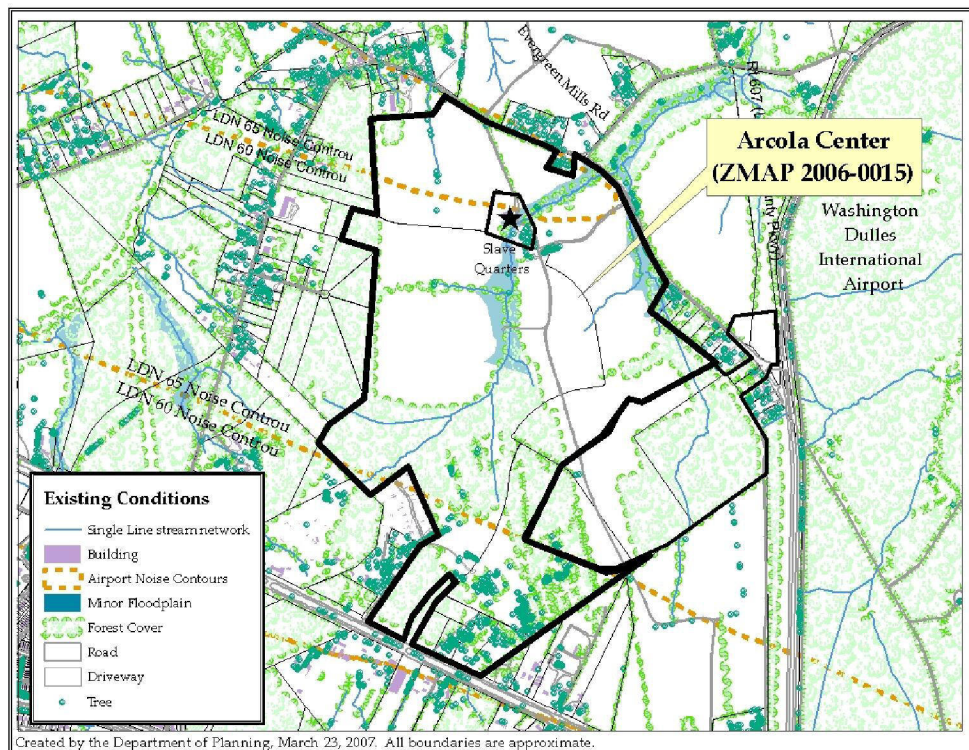


Most of the site is located within the Ldn 65 airport noise contour, with the remainder in the Ldn 60 noise contour. The property has been used as a sod farm for over twenty years and much of the site consists of open grass fields. Some forest cover remains on the site in the southern half of the property and along drainageways. Areas of minor floodplain are present on the site and several small wetland areas as well as archaeological sites have been identified by the applicant. Hydric and diabase soils are also located on the property (see graphic next page).

Surrounding uses include the following:

- low density residential / industrial uses in the Village of Arcola – west;
- Arcola Methodist Church / low density residential (portion in Village of Arcola) – north;
- office uses – east; and
- low density residential industrial uses – south.





## B. SUMMARY OF OUTSTANDING ISSUES

1. Plan policies call for lower intensity development adjacent to the Village of Arcola.
2. The proposed phasing plan does not ensure an adequate balance between residential and non-residential development.
3. The application does not commit to a maximum building height of 3 stories for structures that contain residential uses (PD-TC district - The Village).
4. The application does not commit to minimum square footages / building heights for non-residential uses (outside The Village component) consistent with Plan policies.
5. The application does not mitigate environmental impacts.
6. The Design Guidelines should be amended to provide commitments within the individual development components.
7. The application does not mitigate Capital Facility (school site needed) / Open Space Easement impacts.
8. Additional information is needed for the special exception requests (hotel sites / office).
9. Insufficient information is provided to justify the zoning modification requests.

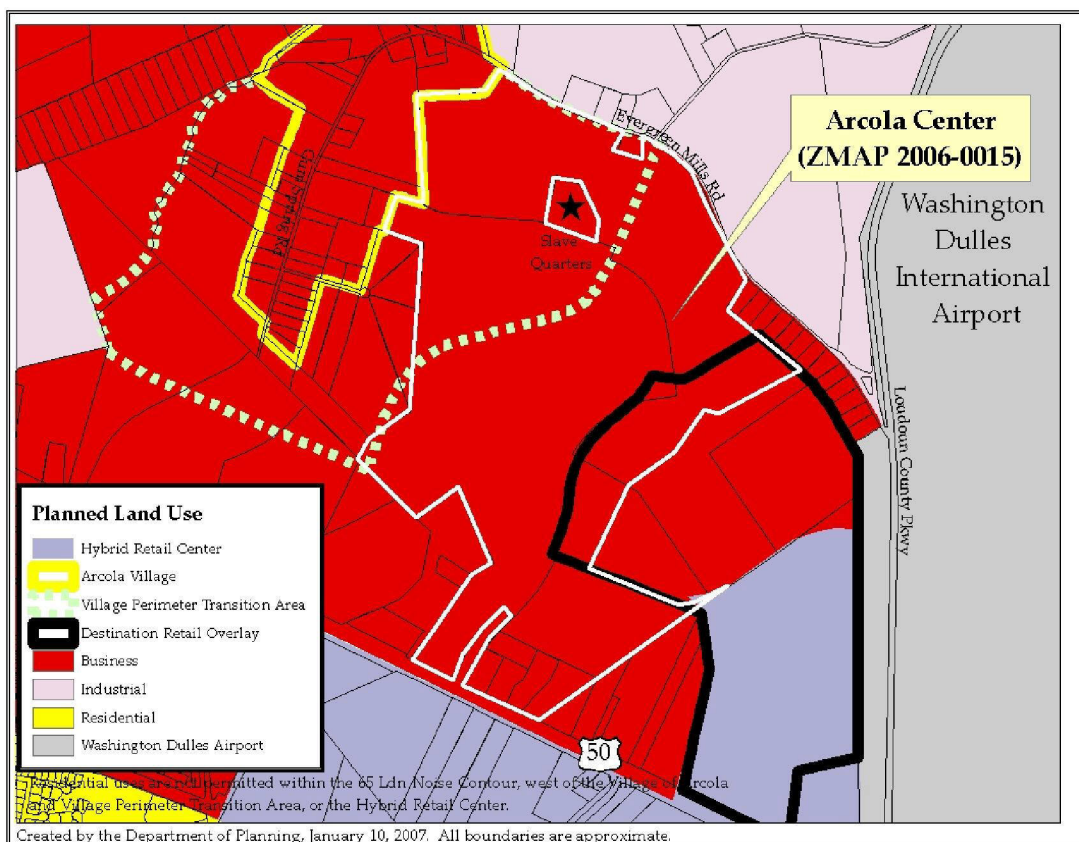
10. Transportation impacts have not been mitigated.

### C. OVERALL ANALYSIS

#### LAND USE

The Arcola Center property is located in the Dulles Community of the Suburban Policy Area. On October 17, 2006, the Board of Supervisors adopted the Arcola Area / Route 50 Corridor Plan (CPAM 2005-0007), which amended the policies and land use map for this area. With the adoption of this plan, the subject property's planned land use designation was changed from Corridor Retail and Industrial to a modified Business Community, as depicted in the graphic. A small portion of the property along its eastern boundary is included in the Destination Retail Overlay; this portion of the property could be developed with either destination retail or business uses. Approximately 88 acres of the property is located within the Village Perimeter Transition Area, which surrounds the Village of Arcola and is intended to protect the Village from larger scale, higher intensity development. The Plan calls for this area to function as an alternative shopping and working environment to the destination retail and large-scale employment uses planned to the east. Overall, the Plan supports the development of a mixed-use, Business Community at this site.

**Planned Land Use Map** (subject property outlined in white)

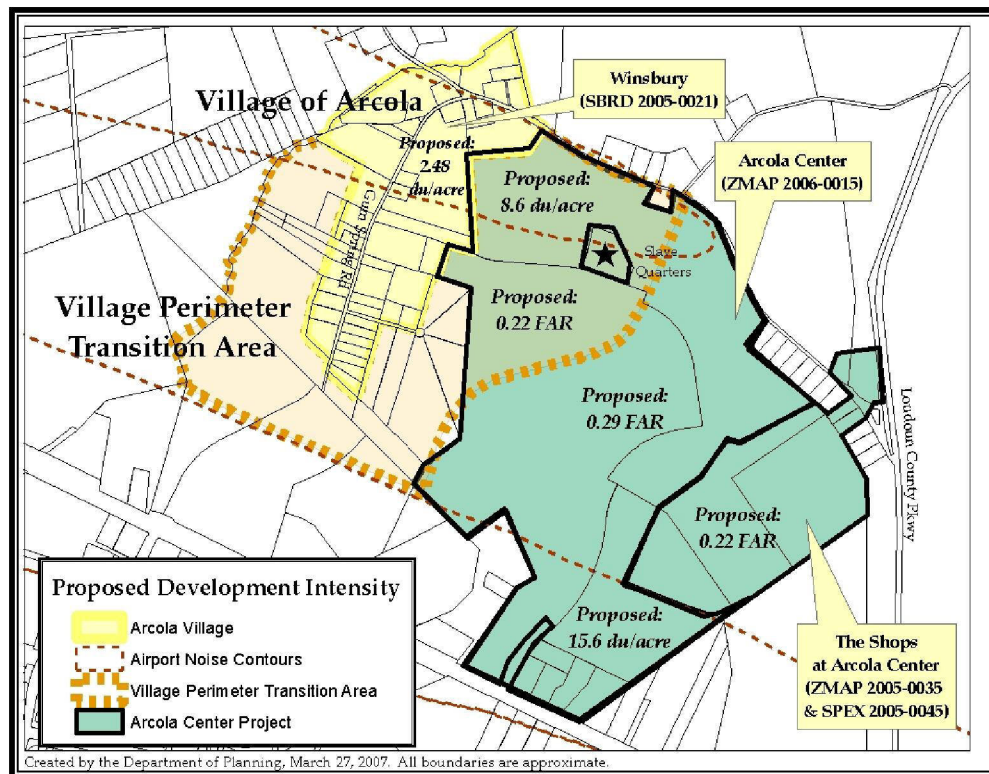




## Village Perimeter Transition Area

Approximately 86.6 acres of the site is located in the Village Perimeter Transition Area (The Village component), an overlay area that surrounds the Village of Arcola. This area is intended to protect the existing Village of Arcola and to provide a transition to the larger scale, higher intensity development that will surround it. The applicant is proposing to develop up to 530,000 square feet of non-residential development (comprised of 450,000 square feet of office and 80,000 square feet of retail uses), 324 single family attached and multifamily residential units, community facilities, and a civic area surrounding the County-owned slave quarters site.

The proposed intensity of the development, in particular the residential density (8 units per acre), is not consistent with Plan policies. Rather than creating a transition between the higher intensity development to the east and the existing, low-density development pattern of the Village of Arcola, the residential densities and non-residential uses proposed in the Village Perimeter Transition Area are similar to those proposed in the remaining portion of the Arcola Center project and may be incompatible with the abutting Village of Arcola (see graphic below). For these reasons, staff recommends that the proposed development within the Village component be reduced so that a transition to the Village of Arcola is created.



The Plan states that second and third story uses (residential over office / retail) are encouraged and are not calculated towards density limits for planning purposes; therefore, staff did not include the proposed 69 residences over office / retail and 15 live/work units in the density calculations.

At 8 dwelling units per acre, the proposal exceeds the upper density limit of 4 units per acre that the Plan envisions in the Village Perimeter Transition Area. Residential density calculations should be based on the residential land area rather than the entire area of the town center. The applicant is double-counting the area proposed for residential development with the area proposed for commercial development. In accordance with Plan policies, this application proposes commercial development within the Village Perimeter Transition Area that is located within the Ldn 65 noise contour (prohibits residential development). Only the residential land area should be used to calculate residential density.

### Phasing

The application proposes to develop the project in four phases as depicted in the table below. Please note that the proffer statement would allow the non-residential minimums to be achieved with either this application or Arcola Center – The Shops, which was recently approved for the development of 750,000 square feet of retail and service uses.

#### Proposed Phasing Plan

	Maximum Development / Phase (Percentage of Total)	
	Residential	Non-Residential
Phase 1	Up to 500 units (41%)	total of 500,000 sf (18%)
Phase 2	Up to 750 units (62%)	total of 750,000 sf (28%)
Phase 3	Up to 1,000 units (82%)	total of 1 million sf (37%)
Phase 4	Up to 1,194 units (100%)	total of 1.2 million sf (45%)
<b>Total Development</b>	<b>1,194 units</b>	<b>2,645,000 sf</b>

The proposed phasing plan does not ensure an adequate balance between residential and non-residential development. The total amount of non-residential uses committed to in the proffers at full residential build-out (1.2 million square feet) represent only 45% of the non-residential uses proposed in the project. In addition, it is not appropriate to tie the development of residential uses in this application to the retail uses previously approved in Arcola Center – The Shops rezoning application. Staff maintains that the development of the residential uses in this application should be phased with the development of office and industrial uses in this application. Under the applicant's phasing plan, well over half (62 %) of the residential units proposed in this application could be built with the development of Arcola Center – The Shops. This contradicts Plan policies which specify that employment uses (not retail / service uses) should be maintained as the predominant use of the property during each phase of development.



Staff recommends that the phasing plan be revised so that the employment component is built prior to or concurrent with the residential and retail uses. Office / industrial uses should be maintained as the predominant use on the property during each phase of the development. Without such a commitment, there is no guarantee that the office / industrial uses proposed in the application will be built.

### **Residential Building Heights**

The Plan calls for residential buildings within the Arcola Area/Route 50 Corridor, including those within the Village Perimeter Transition Area, to be limited to three stories in height. The application provides such a commitment in the southern portion of the site within the residential neighborhoods. The applicant has proffered a maximum building height of 3 stories in the PD-TC district for buildings devoted exclusively for residential uses. This would allow the development of mixed-use buildings with a residential component to exceed 3 stories in the town center. Plan policies support residential uses at a maximum of three stories in height regardless of whether they are in single use residential buildings or integrated with non-residential uses. Staff recommends that the applicant commit to a maximum height of 3 stories when residential uses are located in a building.

### **Newly Adopted Housing Policies**

On September 18, 2007, the Board of Supervisors approved CPAM 2007-0001, Housing Policies. The amendment broadens and updates Countywide housing policies. The adopted policies provide a focus on the housing need for households with incomes from 0% to 100% of the Washington Area Median Income (AMI, \$94,500 for 2007). Policy revisions clarify the County's continuum of housing need and provide direction for program initiatives to address the need. At this time, staff has not evaluated the proposal under the newly adopted policies. Staff is preparing a supplemental referral based on the new policies and will forward it to the Commission.

### **Intensity of Non-Residential Development**

The Arcola Area / Route 50 Corridor Plan states that the County encourages higher Floor Area Ratios (FARs) for the proposed non-residential development to ensure that the land situated within the Route 50 Corridor will build out to its full potential. The County discourages the development of single-story buildings, which limit future build-out potential, resulting in a loss of employment base and tax revenue. Staff maintains that the application does not maximize the development potential of the area outside of the Village Perimeter Transition Area. The application proposes a 0.25 FAR within the PD-IP district and a 0.36 FAR within the PD-CC-RC district; both zoning districts allow a 0.4 FAR. Staff recommends that the applicant commit to the development of minimum square footages, and/or numbers of stories for the non-residential components located outside of the Village component.

## Design Guidelines

The applicant has proffered design guidelines that will be administered and implemented by a Property Owners Association. The guidelines address both site and architectural elements, including compatibility of building materials and appearance, open and civic spaces, landscaping, pedestrian connections, streetscape, parking, signs, lighting, and screening/buffering. Overall, the guidelines provide a well-defined vision for the project's ultimate development and are in conformance with Plan policies. Staff recommends that the guidelines be amended to include a section that more specifically addresses the individual development components - The Village, the Corporate Park, the Offices, the Business Park, Main Street, and The Residences at Main Street (as depicted on page 8 of the staff report).

**The Village** – In accordance with Plan policies, this area is intended to emulate the existing Village of Arcola lot pattern, be more similar to a village design concept than the rest of the Arcola Center project, and include a core area where uses will be vertically integrated and the streetscape will be oriented to the pedestrian rather than the vehicle.

**Main Street** – In accordance with Plan policies, this area should be a pedestrian-oriented destination for the Dulles Community. The guidelines should ensure that this area will have a high quality architectural style, a pedestrian-oriented streetscape with ample street furniture and sidewalk treatments, a green space/landscaped buffer area between pedestrian and vehicular areas.

**Employment Areas (the Corporate Park, the Offices, and Business Park)** – In accordance with Plan policies, outdoor spaces should be provided that consist of high-quality, landscaped areas (such as landscaped plazas, art displays, outdoor cafes or eating areas, town squares, pocket parks, etc.) for employees to use.

**The Residences at Main Street** – In accordance with Plan policies, residential rear elevations should not face Route 50.

## Pedestrian & Bicycle Circulation

In the initial comments, staff recommended a pedestrian and bicycle system to include 10-foot wide asphalt trails on both sides of the major roadways (Dulles Parkway and Arcola Boulevard), pervious surface trails through the central park area, 10-foot wide sidewalks in front of the stores within the Main Street area, 5-foot wide sidewalks on both sides of all other streets, crosswalks and bicycle parking areas. The revised application commits to the following facilities:

- 10-foot wide asphalt trails on the north side of Dulles South Parkway and the west side of Arcola Boulevard (concept plan sheet 8);
- 6-foot footpath through the Central Park area (Sheet 8);
- 10-foot wide sidewalks in front of the in-line stores within the PD-CC-RC district;
- 5-foot sidewalks throughout the development;

- Pedestrian linkages to adjacent properties;
- Crosswalks on public streets, including a pedestrian-activated traffic signal at the intersection of Dulles Parkway and Arcola Boulevard (subject to VDOT approval); and
- 6 bicycle racks - with a capacity of 6 bicycles per rack.

Staff recommends that the proposed pedestrian and bicycle circulation system be amended to include the following facilities:

- 10-foot wide asphalt trails on both sides of Dulles South Parkway and Arcola Boulevard. Staff notes that the adjacent Dulles Landing proposal (ZMAP 2004-0016) committed to providing a 10-foot wide trail on the south side of Dulles South Parkway. Arcola Center – The Shops (ZMAP 2005-0035) committed to an 8-foot wide asphalt trail on the north side of Dulles South Parkway;
- a pedestrian/bicycle facility along the Evergreen Mills Road frontage; and
- additional bicycle racks throughout the development.

## CAPITAL FACILITIES

Under the Revised General Plan, the County anticipates developer assistance at 100% of the capital facility cost per market rate unit above the base density of the site. As of July 25, 2006, the County anticipates a contribution of \$29,709 per single family attached unit and \$18,904 per multifamily unit. The total capital facilities impact of the proposed 1,194 residential units is \$28,946,326. The current zoning designations (PD-IP, PD-CC-RC, and CLI) do not permit the development of residential uses; therefore the base density of the property is 0. The applicant's anticipated contribution after the deduction of the affordable units is \$25,980,895. In accordance with Plan policies, an applicant can receive a capital facilities credit for public properties and/or facilities that are dedicated to the County. The applicant is proposing to dedicate 10 acres to the County-owned slave quarters site in the northern portion of the property.

In June 2006, the Board adopted a new policy (CPAM 2006-0001) regarding the methodology used to determine the value of proposed land dedications. The applicant should provide the appraised value of the slave quarter site to determine the value of the dedicated property. To date, this information has not been provided to County staff.

On February 15, 2005, the Board of Supervisors adopted a policy that allows an applicant to credit the cost of proposed transportation improvements that exceed impacts and to apply it to the anticipated capital facilities contribution. The applicant is proposing to mitigate the anticipated capital facilities impacts for this project as follows:

Contribution Type	Requested Cap Facility Credit	Credit Allowed per County Policy
Cash (per unit)	\$11,500 / unit - \$13,731,000 total	yes
10-acre land dedication & contribution (slave quarters)	\$2.25 million (appraisal needed to confirm land value)	yes
Dedicate / construct off-site portion of Arcola Boulevard	\$ 4.2 million	yes
Construct off-site portion of Arcola Boulevard (south)	\$2.5 million	yes
Construct 3 <sup>rd</sup> westbound lane on Route 50 (off-site)	\$1.1 million	yes
Dedicate 1.5-acres to Arcola Methodist Church	\$450,000	no
Town Center community center & pool – memberships available to Village of Arcola residents	\$750,000	no
<b>TOTAL CREDITS</b>	<b>\$24,981,000</b> (subject to property appraisal)	<b>\$23,781,000</b>

It does not appear that the applicant's proposal, including the requested credits, complies with the capital facilities contribution anticipated by Plan policies. Until the applicant provides additional information regarding the appraised value of the 10 acre slave quarter site dedication. Staff notes that Plan policies allow an applicant to receive capital facilities credit for public properties and/or facilities that are dedicated to the County. The requested credits for the land dedication to the Arcola Methodist Church and the community center / pool facilities for Arcola residents do not comply with adopted policies.

## OPEN SPACE EASEMENTS

Based on the Open Space Proffer Guidelines of the Revised General Plan, the Board of Supervisors anticipates evidence of participation in the open space preservation program to achieve higher densities in mixed-use communities proposed for development in the Suburban Policy Area. Based on Plan policies, staff would anticipate a contribution between \$139,460 and \$183,500 (\$3,800 - \$5,000 per easement). The applicant has not provided any contributions to acquire open space easements.



## ENVIRONMENTAL ISSUES



### ILLUSTRATIVE OPEN SPACE PLAN (DESIGN GUIDELINES)

#### Stream Corridor Resources

Two stream corridors are present on the site, including one that runs down the middle of the project and includes the Slave Quarters site and the second that runs along the northern portion of the property, just south of Evergreen Mills Road. In order to ensure the protection of these important resources, staff recommended the following:

- delineate the recommended 50-foot management buffer on the concept plan;
- preserve as much of the existing tree cover in the stream corridor by designating Tree Conservation Areas (TCA's) on the concept plan;
- commit to reforestation areas affected by past agricultural activities with native vegetation; and
- commit to providing pervious surface trails within the stream corridor.

The revised concept plan generally provides more than 50 feet of open space around the minor floodplain areas; however, there are several locations in the southern portion of the corridor where development can be built up to the edge or within the floodplain. In these areas, staff is unable to support the reduction of the 50-foot management buffer unless the

applicant can demonstrate that the reduction will not adversely impact stream corridor elements and if additional measures are provided (such as reforestation) that will ensure water quality protection.

The concept plan has been revised to depict several Tree Save Areas within the stream corridor in the central portion of the site. Staff supports the preservation of existing vegetation at these locations; however, staff would also recommend the preservation of the mixed hardwood forest northeast of the existing slave quarters site on both sides of the stream. Where existing forest cover is not preserved, and recreational or other permitted uses (such as stormwater management facilities) are not proposed, staff recommends that the project commit to reforesting stream corridors to a natural state. The applicant should also commit to using pervious surface trails and raised boardwalks in areas where the planned trail system will cross wetlands or floodplains.

Staff recommends that the applicant provide additional commitments to the preservation and protection of the site's stream corridors by:

- conserving the mixed hardwoods northeast of the existing slave quarters site in a Tree Save Area (as depicted in the illustrative open space plan depicted on the previous page);
- providing a reforestation plan for the stream corridor, in particular those areas where a 50-foot management buffer will not be provided; and
- providing a pervious trail system through stream corridors (applicant has already proffered raised boardwalks where planned trails cross wetlands or streams).

### Existing Vegetation

A key element of preserving existing site conditions is the integration of existing trees and vegetation into the design of new developments. The Revised General Plan calls for the protection of natural vegetation for the various economic and environmental benefits that they provide. The applicant has committed to a limited number of tree save areas within the stream corridors; however, no other tree save areas have been proposed. Staff recommends a commitment for additional tree save areas. Some of the existing hardwoods located along the western property line and in the southwest corner of the site within open space areas could be preserved.

### Stormwater Management

The County encourages new developments to provide conceptual stormwater management information and to incorporate low impact design (LID) techniques. Proposed stormwater management facilities are located in the central open spaces and in the northern portion of the site near Evergreen Mills Road (see open space plan – sheet 6). The proffer statement commits to augmenting the property's stormwater management and best management practice facilities with LID features such as vegetated swales and BMP trenches in order to enhance stormwater quality.

Construction plans have been submitted to the County for the two northern stormwater management ponds. According to the plans, the western tributary currently receives 168 acres of drainage from the southwestern portion of the property. Staff has noted that the majority of the existing drainage is proposed to be diverted to the larger proposed pond to the east. This approach does not maintain existing hydrology, a key low impact development principle. Staff has requested additional information that demonstrates the impacts of this substantial diversion. Staff has also recommended that the applicant explore opportunities to better balance drainage and maintain existing hydrology. The applicant has not provided a response to these questions.

### Noise Impacts

Staff has cited concerns regarding residential uses proposed in close proximity to major roadways (including Route 50, Evergreen Mills Road, and Dulles Parkway, with minimal setbacks and buffering. Staff recommended that a noise analysis be conducted and provided to the County prior to approval of these applications. If an analysis is not possible within the timeframe of these applications, staff recommends that the applicant commit to providing a noise study to the County prior to the submittal of the initial subdivision / site plan. The applicant's proffer language is vague in comparison to other recently approved rezoning projects. Staff also notes that the proffer doesn't actually commit to complying with the highway noise policies, but rather that a study will be done. Staff recommends that the highway noise proffer be revised to provide a clear commitment to comply with the highway noise policies.

### ZONING

There are major unresolved zoning issues with these applications. Staff maintains that numerous zoning modification requests have not been sufficiently justified by the applicant. Staff has requested revisions and clarifications for a number of zoning notes on the concept plan.

### SPECIAL EXCEPTION REQUESTS

The applicant is requesting approval for the following special exception uses within the proposed PD-IP and PD-CC-RC portions of the property:

- two hotel sites;
- office uses.

### Hotel Sites

The special exception plat for the hotel sites is provided on sheet 16 of the concept plan. A special exception is required to develop a hotel within PD-CC-RC (Regional Commercial Center) and PD-IP (Industrial Park) zoning districts. The concept plan depicts hotel site A (proposed in the PD-IP district) in land bay 3 in the northeast quadrant of Arcola Boulevard and Dulles South Parkway (concept plan sheet 4). This area is depicted as the Corporate



Park component. Access to this hotel site will be accommodated by a private street located off Arcola Boulevard. There is no direct access to the hotel site from Arcola Boulevard or Dulles South Parkway.

The concept plan depicts Hotel site B (proposed in the PD-CC-RC district) in land bay 4 on the north side of Dulles South Parkway (sheet 4). This area is depicted as the Main Street component. Access to this hotel site will be accommodated by internal private streets. There is no direct access to the hotel site from Dulles South Parkway.

The applicant has not provided sufficient information in the application materials regarding the proposed hotel sites. There is no information regarding the number of stories anticipated, the number of rooms proposed, or the type of facilities that will be included within the hotels, such as conference facilities or restaurants. Additional details should be provided for both hotel sites.

Conditions of approval have been recommended regarding site layout, acoustical treatment, and lighting.

#### Hotel Sites – Conditions of Approval

1. The subject properties shall be developed in substantial conformance with the special exception plat (sheet 16) dated May 10, 2006, revised through August 6, 2007 prepared by Bowman Consulting. Approval of this application does not relieve the applicant of Zoning Ordinance, Codified Ordinance, or any other Ordinance requirements.
2. Acoustical treatment shall be provided for the hotel to mitigate interior noise impacts to a maximum noise level of 50 dBA. A building shell analysis shall be performed and certified by a licensed acoustical engineer in conjunction with the site plan application for the hotel site.
3. Exterior lighting shall be “full cut-off outdoor lighting fixtures” as defined by the Illuminating Engineering Society of North America (IESNA). Light shall be directed inward and downward toward the interior of the property, away from surrounding roads. Low-pressure sodium lamps shall be prohibited.
4. For all lighting placed on the exterior of the building, including security lighting, the maximum average illumination over the exterior of the building shall not exceed five (5) foot candles. For all parking lot lighting, the maximum average illumination over the parking areas shall not exceed three (3) foot candles.

#### Office Uses

The special exception plat for the office uses is provided on sheet 17 of the concept plan. The Corporate Park, The Offices, and a portion of the Central Park components are located within the PD-IP portion of the site. The Main Street component comprises the PD-CC-RC portion of the site. Access to these components will be accommodated by Arcola Boulevard and Dulles South Parkway.

#### PD-IP request

A special exception is required to develop more than 49% of the land area in a PD-IP (Industrial Park) zoning district as office use. The applicant is requesting the flexibility to develop up to 93% of the PD-IP portion of the site as office uses; however, the development of light industrial uses would still be permitted in the district. The concept plan depicts the PD-IP portion of the property as land bay 3, which is proposed along the eastern side of Arcola Boulevard.

The applicant has not provided sufficient information in the application materials regarding the proposed office uses in the PD-IP district. The special exception plat does not depict the entire request area. The specific size and layout of each building must be identified on the special exception plat. The proposal is required to demonstrate a coordinated relationship between the permitted industrial uses and the proposed office uses. The intent of the PD-IP zoning district is to develop light industrial uses with support office uses (up to 49%). Staff recommends that a portion of the requested PD-IP designation be amended to a PD-OP (Office Park) district.

#### PD-CC-RC request

Section 4-203(D)(1) of the Revised 1993 Zoning Ordinance permits up to 20% of the floor area in a PD-CC-RC (Regional Commercial) district to be developed as office use. The applicant is requesting to develop up to 66% of the floor area as office. The concept plan depicts land bay 4, which is located west of the previously approved Arcola Center – The Shops and east of land bay 3, on the north side of Dulles South Parkway. The Main Street component is proposed to have a mix of office and retail uses as well as one of the hotel sites.

Conditions of approval have been recommended regarding site layout, acoustical treatment, and lighting.

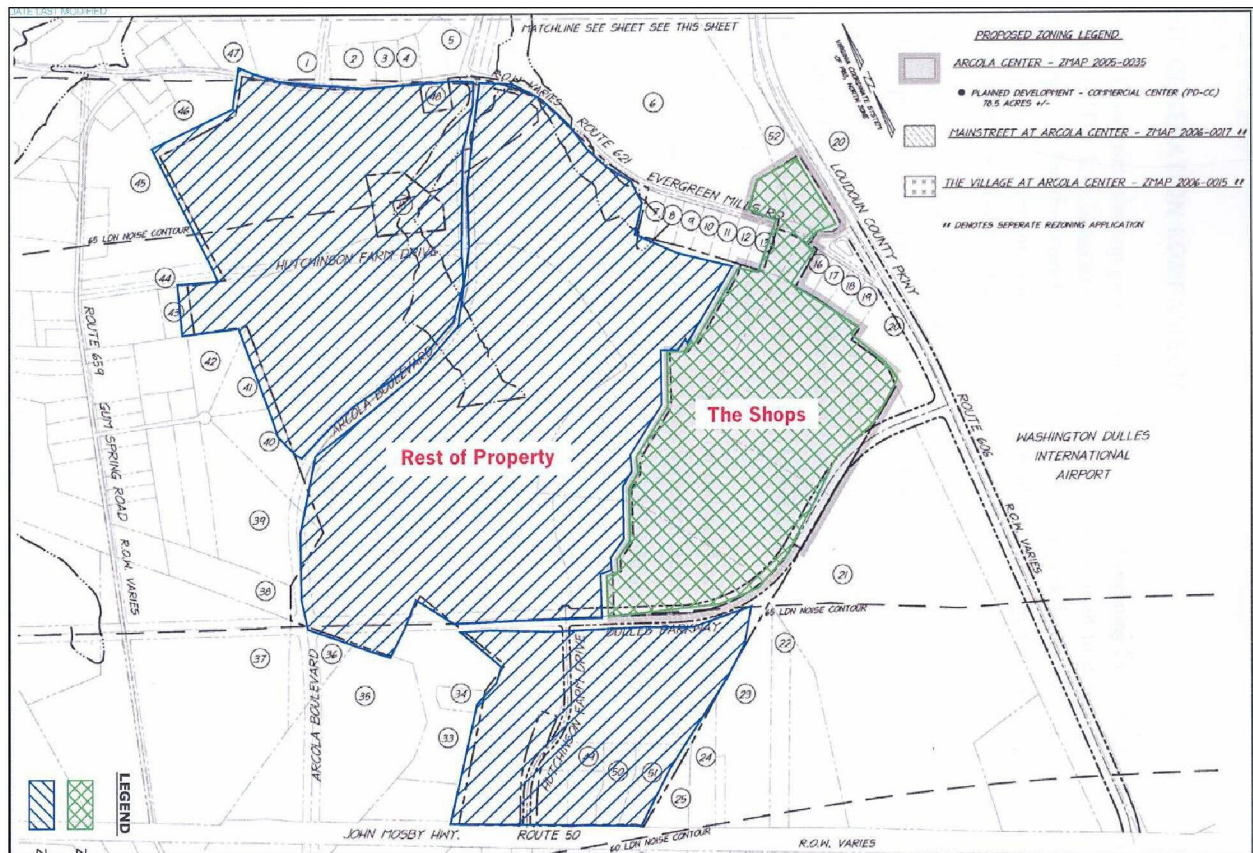
#### Office Uses – Conditions of Approval

1. The subject properties shall be developed in substantial conformance with the special exception plat (sheet 17) dated May 10, 2006, revised through August 6, 2007 prepared by Bowman Consulting. Approval of this application does not relieve the applicant of Zoning Ordinance, Codified Ordinance, or any other Ordinance requirements.
2. Exterior lighting shall be “full cut-off outdoor lighting fixtures” as defined by the Illuminating Engineering Society of North America (IESNA). Light shall be directed inward and downward toward the interior of the property, away from surrounding roads. Low-pressure sodium lamps shall be prohibited.
3. For all lighting placed on the exterior of the building, including security lighting, the maximum average illumination over the exterior of the building shall not exceed five (5) foot

candles. For all parking lot lighting, the maximum average illumination over the parking areas shall not exceed three (3) foot candles.

## TRANSPORTATION

The site is located southwest of Evergreen Mills Road, west of Loudoun County Parkway/ Route 606 and north of Route 50. The future North Collector Road (labeled as Dulles South Parkway on the concept plan) will provide the primary east west access and Arcola Boulevard will provide the primary north south access to the proposed development.



An updated traffic analysis dated July 27, 2007, was submitted by the applicant. The proposed development at full build-out is anticipated to generate approximately 40,000 daily vehicle trips. Route 50 currently carries about 31,000 daily trips in the vicinity of the site and Loudoun County Parkway (north of Route 50) carries approximately 30,000 trips.

The Applicant is proffering improvements to Route 50, Dulles South Parkway, and Arcola Boulevard. The applicant is also proffering a contribution for the construction of the planned interchange at Route 50 and Loudoun County Parkway.

### Dulles South Parkway Improvements

Dulles South Parkway is planned to be a future parallel road on the north side of Route 50 (similar to Tall Cedars Parkway on the south side) which will run east-west between Pleasant Valley Road to the east and Watson Road to the west. It is planned to be a four-lane divided



urban collector with turn lanes at all major intersections and median crossovers. The applicant is proffering to construct 2 lanes of a 4-lane divided facility from Hutchinson Farm Drive to the western property line (intersection of Arcola Boulevard). Based on the anticipated traffic generation, staff maintains that a 4-lane divided facility should be constructed on-site to mitigate traffic impacts.

#### Arcola Boulevard / Route 606 Extension Improvements (on-site)

Arcola Boulevard is the planned extension of existing Route 606. It is planned to be a 4-lane divided urban collector with turn lanes at all major intersections and median crossovers. The applicant is proffering to construct 2 lanes of a 4-lane divided facility from the northern property line to the southern property line. Based on the anticipated traffic generation, staff maintains that a 4-lane divided facility should be constructed on site to mitigate traffic impacts.

#### Arcola Boulevard / Route 606 Extension South (off-site)

The applicant is proffering to construct a 4-lane divided facility from Dulles South Parkway to Route 50. The applicant is not assuming any responsibility for the acquisition of the right-of-way to construct this facility. Additional discussion is needed regarding the applicant's commitment to acquire the necessary right-of-way.

#### Arcola Boulevard /Route 606 Extension North (off-site)

The applicant is proffering to acquire right-of-way and construct a 4-lane divided facility from Evergreen Mills Road north to the Dulles Trade Center West property. Construction plans shall be submitted to the County / VDOT for review within 6 months of the rezoning approval. Staff finds this improvement acceptable.

#### Route 50 Improvements

Route 50 is a four-lane divided principal arterial with unpaved shoulders. It is planned to be a six-lane divided limited access principal arterial with grade-separated interchanges, including one at Loudoun County Parkway Route 50. A third eastbound lane on Route 50 was proffered in conjunction with the recently approved Stone Ridge applications (ZMAP 2002-0013, ZCPA 2002-0004). Construction plans for these improvements under County review.

The applicant is proposing to construct a third westbound lane from the property's western boundary to Gum Springs Road prior to initial occupancy permit. Arcola Center – The Shops (ZMAP 2005-0035) has proffered a third westbound lane from Loudoun County Parkway to the western site boundary. If both of these improvements are constructed, there will be a continuous third westbound lane on Route 50 from Loudoun County Parkway to Gum Springs Road. Staff finds this improvement acceptable.

#### Traffic Signals

The applicant has proffered to fund the warrant analyses, design, and install traffic signals at the following intersections:

- Evergreen Mills Road / Arcola Boulevard; and
- Arcola Boulevard / Dulles South Parkway.

In conjunction with the approval of Arcola Center – The Shops, the applicant recently committed to provide the following traffic signals:

- Route 50 / Hutchinson Farm Drive;
- Dulles South Parkway / Hutchinson Farm Drive;
- Dulles South Parkway / Loudoun County Parkway; and
- Dulles South Parkway / main shopping center entrance.

Staff maintains that the applicant should commit to provide all required traffic signals to serve the development. In addition, the limitation of \$200,000 per signal should be removed.

#### Contribution for Route 50 / Loudoun County Parkway Interchange

In addition to the construction of road improvements, the proffers contain a contribution of \$6 million to be used for regional road improvements, such as the planned interchange at Route 50 / Loudoun County Parkway. Cost estimates for the interchange are currently in the \$50 million range. Construction of the planned interchange is necessary for a long-term solution to unacceptable levels of service.

The proffers specify that, at the discretion of the Board of Supervisors, the applicant will either make the monetary contribution or construct the following road improvements, which will be deducted from the contribution amount:

- Dulles South Parkway – construct the remaining 2 lanes of the planned 4-lane divided facility at a cost of \$1.3 million;
- Arcola Boulevard – construct the remaining 2 lanes of the planned 4-lane divided facility at a cost of \$3.6 million.

If both of these roads are constructed, the remaining balance of the \$6 million contribution will be only \$1.1 billion for regional road improvements. As noted previously, staff maintains that the applicant should construct Dulles South Parkway and Arcola Boulevard as 4-lane sections within the property in order to mitigate transportation impacts generated by the development. The \$6 million contribution should be dedicated to offset regional road impacts to the planned interchange at Route 50 / Loudoun County Parkway.

#### Transit

The applicant has committed to provide a 200-space park and ride lot and a bus shelter within the Arcola Center development to serve the Route 50 corridor.

#### PUBLIC SCHOOLS

The applicant's proposal to develop up to 1,194 residential units will generate approximately 446 school-age children. Specifically, 227 elementary (Arcola / Legacy Elementary Schools),



98 middle (Mercer / Stone Hill Middle Schools, and 121 high school children (Freedom High School) are anticipated. Legacy Elementary School is currently over capacity; therefore, staff has been discussing a potential 20-acre school site on the subject site. Although staff and the applicant have been in discussions, the applicant has not proffered an elementary school site to date.

## **UTILITIES**

Public water and sewer are available by extension of existing nearby Loudoun County Sanitation Authority (LCSA) utilities. All wells and drainfields on the site will be properly abandoned.

## **EMERGENCY SERVICES**

This site is served by the Arcola-Pleasant Valley Volunteer Fire and Rescue Department in Arcola. The Applicant has proffered a one-time contribution of \$120 for each residential unit (total contribution \$143,280) and \$0.15 per gross square foot of commercial development (total contribution \$396,750) to the primary volunteer Fire and Rescue companies serving the property. The contributions will be paid at the time of the issuance of each zoning permit on the site and will escalate on an annual basis with a base year of 1988. This contribution amount is consistent with other recent approvals and County policy.

The Applicant will be required to comply with all building code requirements regarding fire protection and will require all owners / occupants to comply with applicable fire protection requirements.

## **PROFFER REVIEW**

The draft Proffer Statement dated July 30, 2007 was reviewed by the County Attorney's office. Comments are provided in attachment 11, page 38. The applicant is in the process of revising the proffers based on staff comments.

## **D. ZONING ORDINANCE MODIFICATIONS**

Section 6-1504 of the Revised 1993 Zoning Ordinance states "The regulations of the PD district sought shall apply after rezoning is approved unless the Board of Supervisors approves a modification to the zoning, subdivision or other requirements that would otherwise apply. No modifications shall be permitted which affect uses, density, or floor area ratio of the district. No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project."

The Following Zoning Ordinance modifications have been requested for the PD-TC portion of the property (The Village):

1.) 4-802	Size, Location and Components	Permit PD-TC district to be more than 60 acres, as shown on the plan.
2.) 4-805(A)	Size	Eliminate the minimum lot size requirement for all uses.
3.) 4-805(B)	Width.	Reduce the minimum to fourteen (14) feet for multi-family and single family attached dwellings.
4.) 4-805(C)	Depth	Permit a minimum lot depth of fifty (50) feet.
5.) 4-805(D)(3)	Yards, within the Town Center Core.	Eliminate the 30 feet minimum for a rear yard of a non-residential use abutting a lot used or planned for residential.
6.) 4-805(E) (1)(2)(3)	Yards, within the Town Center Fringe.	(1) Reduce the minimum to zero (0) feet. (2) Reduce the minimum to zero (0) feet. (3) Reduce the minimum to zero (0) feet.
7.) 4-805(F)(1)(3)	Other yard requirements. Adjacent to Roads /  Adjacent to other Non-residential Districts	Allow buildings, outdoor storage, areas for collection of refuse and loading areas to be no closer than fifty (50) feet to Arcola Boulevard and thirty-five (35) feet to Evergreen Mills Road. Allow screened outdoor storage, areas for collection of refuse and loading areas to be no closer than thirty-five (35) feet to any public road. Allow parking with intervening landscaping to be located no closer than twenty-five (25) feet to any public road. Allow buildings, parking, outdoor storage, areas for collection of refuse and loading areas to be no closer than ten (10) feet to any private road right-of-way.  Permit ten (10) feet for buildings, parking, outdoor storage, and loading areas, without exception by Section 5-1400.
8.) 4-807(C)	Land Assembly Requirements	Permit the maximum distance from one boundary of the entire Town Center to the farthest boundary to include distances up to 2,900 feet.

#### Applicant's Justification:

The area of the requested PD-TC district, approximately 87 acres, is determined by a combination of the boundaries of adjacent properties to the west, the existing right-of-way of Route 621 to the north and the proposed alignment of the West Spine Road to the east and south. These boundaries define an area that logically should be planned as one unified district. The concept plan illustrates how the integration of natural, civic, commercial, employment and residential uses within the proposed PD-TC district improves upon the existing regulations that otherwise would restrict the district size to 60 acres. The concept plan limits the area of the residential component to 30 acres, which is consistent with other PD-TC zoning regulations. The additional PD-TC district acreage requested by this modification will be allocated for non-residential uses.

The design of the proposed PD-TC district relies upon the use of a variety of lot sizes to achieve the compact, pedestrian-friendly atmosphere of the envisioned Village at Arcola Center. The requested design flexibility with respect to no required minimum lot size is afforded in other sections of the Zoning Ordinance for Affordable Dwelling Unit projects and for clustered subdivisions.

The Applicant requests that the same minimum lot width provided by the ADU regulations for single-family attached units be afforded to the multi-family and single-family attached units in

the proposed PD-TC district.

The design of the proposed PD-TC district relies upon the use of a variety of lot configurations and architectural features to achieve the compact, pedestrian-friendly atmosphere of the envisioned Village at Arcola Center. The requested design flexibility with respect to a reduced minimum lot depth, rear yard modifications, and yard requirement modifications will help achieve an interesting and vibrant development pattern.

The configuration of the proposed PD-TC district is, on average, consistent with the maximum 2,500 foot dimension. However, this dimension is exceeded in a few locations due to the proposed alignment of the West Spine Road/Route 606 Extended.

### Staff Analysis

Staff agrees that the proposed 87 acre town center should be a unified zoning district that is larger because of specific road alignments. The concept plan depicts an integrated area of natural, civic, commercial, employment and residential uses. Staff agrees that there are typically no minimum lot sizes and reduced lot widths for developments that provide ADUs. Staff can support the first 3 modification requests.

Regarding modifications 4, 5, 6, and 7 staff maintains that an interesting and vibrant development pattern could be achieved without reducing lot depths, and minimum yard requirements. Staff does not support these modification requests at this time.

Regarding modification 8, staff is requesting that the applicant provide an illustrative depicting where the maximum boundaries for the town center are exceeded.

The Following Zoning Ordinance modifications have been requested for the PD-CC-RC portion of the property (Main Street component):

1.) 4-202	Purpose, Size and Location of Individual Districts.	Allow an addition of less than 60 acres to an existing PD-CC-RC district.
2.) 4-205(C)(1)(d)	Lot Requirements. Yards. Regional Centers	Allow parking, outdoor storage, areas for collection or refuse or loading space between buildings and streets where such areas are screened from the streets by the landscaped buffer required by Section 5-1400.
3.) 4-205(C)(3)	Lot Requirements. Yards. Adjacent to Other Non-residential Districts	Eliminate required yard for buildings, parking, outdoor storage and loading areas between the proposed PD-CC(RC) district, the adjacent proposed PD-IP district and the adjacent PD-CC(RC) district approved in ZMAP 2005-0035.
4.) 4-206(C)	Building Height	Building setbacks, including increased setbacks for buildings in excess of 35 feet in height, shall not apply to internal lot lines or to private streets within the PD-CC(RC) district.
5.) 4-206(D)(4)	Vehicular Access. Regional Centers	Controlled vehicular access shall be onto a collector road (Hutchinson Farm Drive) and from a major collector road (Dulles Parkway), rather than onto an arterial road.

6.) 4-206(E)(2)	Building Requirements – Development Setback and Access from Major Roads	The proposed PD-CC(RC) district and its uses shall have direct access to a major collector road, Dulles Parkway, by way of private street to be located at a median break/signalized intersection on the major collector road.
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**Applicant's Justification:**

Although the proposed district size is less than the required 60 acres, this area is adjacent to Arcola Center – The Shops, a PD-CC-RC application that was recently approved in June, 2007. The applicant has provided an illustrative that demonstrates and integrated development.

The intent of this modification is to clarify that the screening and landscaping required by Section 5-1400 is adequate to mitigate any visual impact by parking, outdoor storage, areas for collection or refuse or loading space located between buildings and streets.

Under this modification, a continuous site design may be employed in areas where the proposed PD-IP and PD-CC(RC) districts adjoin. This modification is justified in that the adjacent proposed PD-IP district is under the same ownership and is part of the same project as the proposed PD-CC(RC) district. The elimination of this yard requirement will allow greater design flexibility and better utilization of space within the proposed PD-CC(RC) district.

Section 4-206(C) inhibits the subdivision of separate parcels for buildings that have been constructed in close proximity to each other. The Applicant requests a modification of this section to provide the Applicant and future owners the flexibility to manage their real estate assets and obtain financing as desired through the subdivision of individual building sites.

The proposed PD-CC(RC) district is proximate to an arterial road, Route 50, and a minor arterial road, Route 606/Loudoun County Parkway, and will have direct access to several collector/major collector roads that tie into the arterial roads. The proposed modification is justified because the collector roads will provide the PD-CC-RC district with controlled access onto the arterial roads.

The proposed modification is justified because it allows internal private streets to serve as the collection points for traffic rather than public streets that require larger rights-of-way and setbacks. The proposed modification will provide greater flexibility in the layout of buildings within the PD-CC-RC district.

**Staff Analysis:**

Staff agrees that the proposal to allow a minimum district size less than 60 acres is acceptable given the recent rezoning of the adjacent area to PD-CC-RC. The concept plan depicts an integrated area of office, retail, and service uses. Staff can also support the elimination of the required yard between the PD-CC-RC district and the PD-IP since there is a continuous design employed and a tree save area provides a buffer between the 2 districts. The application appears to allow safe vehicular access to the proposed uses. Staff can support modifications 1, 3, 5, and 6.



Regarding modifications 2 and 4, it is not clear how these requests provide an innovative design or exceed the public purpose of the regulation. Staff does not support these modification requests.

The following Zoning Ordinance modifications have been requested for the PD-IP portion of the property (Corporate Park and Office components):

1.) 4-505(B)(1)	Lot Requirements. Yards. Adjacent to Roads.	Allow parking, outdoor storage, areas for collection or refuse or loading space between buildings and streets where such areas are screened from the streets by the landscaped buffer required by Section 5-1400.
2.) 4-505(B)(3)	Adjacent to Other Nonresidential Districts.	Eliminate the minimum yards between nonresidential districts to allow for integration of parking and travelways.
3.) 4- 505(B)(4)(a)	Yards Between Buildings.	A minimum separation of twenty-five (25) feet shall be maintained between buildings on adjacent lots with the proposed PD-IP district. Driveways and parking areas may straddle lot lines.
4.) 4-506(B)	Building Requirements – Building Height	Building setbacks, including increased setbacks for buildings in excess of 35 feet in height, shall not apply to internal lot lines or to private streets within the PD-IP district.
5.) 4-507(G)(1)	Development Setback and Access from Major Roads	The proposed PD-IP district and its uses shall have direct access to two major collector roads, Arcola Boulevard and Dulles Parkway, by way of private streets and driveways to be located at median breaks on the major collector roads or designed as right-in/right-out only access points in locations approved by VDOT.

**Applicant Justification:**

This screening and landscaping required by Section 5-1400 of the Revised 1993 Zoning Ordinance is adequate to mitigate any visual impact by parking, outdoor storage, areas for collection or refuse or loading space located between buildings and streets.

A continuous site design will be employed in areas where the proposed PD-IP and PD-CC(RC) districts adjoin. This modification is justified in that the adjacent proposed PD-CC(RC) district is under the same ownership and is part of the same project as the proposed PD-IP district.

The requested modification will encourage the clustering of buildings, promote pedestrian access and provide the Applicant and future owners the flexibility to manage their real estate assets through the subdivision of individual building sites.

Section 4-506(B) inhibits the subdivision of separate parcels for buildings that have been constructed in close proximity to each other. The Applicant requests a modification of this section to provide the Applicant and future owners the flexibility to manage their real estate assets and obtain financing as desired through the subdivision of individual building sites.

The property is traversed by two major collector roads. The proposed modification is justified because it allows internal private streets and driveways to serve as the collection points for

traffic rather than public streets that require larger rights-of-way and setbacks. The proposed modification will provide greater flexibility in the layout of buildings within the PD-IP district.

**Staff Analysis:**

Regarding modifications 1 and 4, it is not clear how these requests provide an innovative design or exceed the public purpose of the regulation. Staff does not support these modification requests.

Staff agrees that modifications 2, 3, and 5 can be supported since a continuous design is employed. The concept plan depicts an integrated area of office, retail, and service uses. Staff can also support the reduction of the required yard between the PD-CC-RC district and the PD-IP since there is a continuous design employed and a tree save area provides a buffer between the 2 districts. The application appears to allow safe vehicular access to the proposed uses. Staff can support modifications 2, 3, 4, and 5 for the PD-IP district.

The following Zoning Ordinance modifications have been requested for the affordable dwelling units within the R-8, R-16, and R-24 zoning districts (Residences at Main Street).

1.)7-803(C)(2)(a)	Yards. Single Family Attached - Front.	Allow a minimum 8' front yard to incorporate tree planting pits and/or tree grates for dwellings fronting on a street .
2.)7-803(C)(2)(b)	Side.	Allow a minimum side yard on an end unit shall be 4' feet for unit abutting alleys.
3.)7-803(C)(2)(c)	Rear.	Allow rear yards for units to be 15 feet.
4.)7-903(C)(1)(a)	Front.	Allow a minimum 8' front yard to incorporate tree planting pits and/or tree grates for dwellings fronting on a street.
5.)7-903(C)(1)(b)	Side.	Allow a minimum side yard on an end unit shall be 4' feet for units abutting alleys.
6.)7-903(C)(1)(c)	Rear.	Allow rear yards for units to be 15 feet.
7.)7-903(C)(2)(b)	Side.	Allow end buildings to have a minimum side yard of 12 feet to property line or private access easement line.
8.)7-1003(C)(b)	Side.	Allow end buildings to have a minimum side yard of 12 feet to property line or private access easement line.

**Applicant's Justification:**

The proposed reduction of all minimum yard requirements is justified in that the resulting design flexibility will allow buildings to be sited closer to the travelways to create a sense of place and a pedestrian-friendly "main street" atmosphere. The requested modifications will also enhance the site design by allowing a tighter clustering of buildings that will provide larger and more usable areas of internal common open space, which is encouraged by the Revised General Plan.

**Staff Analysis:**

Regarding modifications 1, 2, 4, and 5, staff notes that the R-8 regulations already allow for shorter front and side yards as compared to the standard R-8 regulations. Staff does not support modifications 1, 2, 4, or 5.

Regarding modifications 3 and 6 staff supports the modification requests to reduce rear setbacks to 15 feet (the applicant should ensure that this setback reduction will not impact the provision of accessory structures such as decks).

Regarding modifications 7 and 8, it is not clear what the justification for these modifications are and how they exceed the public purpose of the regulation. Staff does not support modifications 7 or 8.

The following Zoning Ordinance modifications have been requested for the buffer yard and screening provisions:

1.) 5-1405(A).	Buffer Yards and Screening, General Provisions.	No minimum buffer yard and screening shall be required between the zoning district proposed in this application or between this area subject to this application and adjacent to the area subject to ZMAP 2005-0035.
2.) 5-1413(C)(1)(a)	Parking Lot Landscaping and Screening Requirements	The Applicant proposes to eliminate the requirement for a ten (10) foot landscaping strip for parking areas next to abutting property lines for parcels within the Property.

**Applicant's Justification:**

This modification is justified in that the Arcola Center project, including the adjacent Arcola Center – The Shops, is planned as a unified, seamless, pedestrian friendly project that will be governed by Design Guidelines. The Guidelines call for landscaping in appropriate areas while also allowing an integration of the various uses proposed within the project.

This modification will allow a continuous site design to be employed for parking areas that serve uses on subdivided parcels regardless of the location of property lines. This modification is justified in that the Property will be developed in accordance with a proffered concept plan and will be subject to coordinated design guidelines. The elimination of this peripheral landscape strip requirement will allow greater design flexibility and better utilization of space within the Property.

**Staff Analysis:**

Regarding modification 1, staff has requested the identification of the specific buffers to be eliminated on an exhibit. Regarding modification 2, it is not clear how this modification achieves an innovative design or exceeds the public purpose of the regulations. Staff does not support the modification requests at this time.

The following Land Subdivision and Development Ordinance (LSDO) modifications have been requested by the applicant:

**ZMAP 2006-0015, SPEX 2007-0007 – Arcola Center  
PLANNING COMMISSION PUBLIC HEARING  
October 15, 2007**

1245.01 (1)	The lot area, width, depth, shape, orientation, yards and other lot requirements shall conform to the requirements of the Zoning Ordinance and shall be such that all lots provide sites for homes or buildings conforming to these regulations.	Provide that the area, width, depth, shape, orientation, yards and other lot requirements shall conform to the requirements of the Zoning Ordinance as modified by this Application
1245.01(2)	Except where otherwise specifically provided for in these regulations or in the Zoning Ordinance, all lots shall front on an existing or recorded public street dedicated by the subdivision plat and maintained or designed and built to be maintained by the Virginia Department of Transportation	Provide that lots may front on privately maintained streets.
1245.02	Private access easement roads designed and constructed in accordance with the FSM may serve as frontage in lieu of public streets for the following types of development lots, up to a maximum of seven (7) lots:	Provide that lots may front on private streets and private access easements.

**Applicant's Justification:**

The above referenced LSDO modifications are requested in order to coordinate with and facilitate the implementation of the requested zoning modifications.

**Staff Analysis:**

Staff maintains that a vibrant development pattern can be achieved without reducing the lot size, depth, and yards for all of the units. It is not clear how a hierarchy of public and private streets is achieved in the town center (The Village). Staff maintains that a combination of public and private streets could be provided to achieve an interesting and vibrant development pattern. Staff does not support the LSDO modifications at this time.

The applicant has requested waivers of the Facilities Standards Manual (FSM). Once a final road design is complete, FSM waiver requests may be submitted to the Engineering Division of Building and Development for review.

**E. ZONING ORDINANCE CRITERIA FOR APPROVAL**

Section 6-1211(E) of the Revised 1993 Loudoun County Zoning Ordinance states " ... (i) if the application is for reclassification of property to a different zoning district classification on the Zoning Map ..., the Planning Commission shall give reasonable consideration to the following matters ...":

Standard      Whether the proposed zoning district classification is consistent with the Comprehensive Plan.

Analysis      The proposal generally conforms to the land use policies of the Revised General Plan, however, staff has identified outstanding issues related to residential density and the intensity of the commercial development.



<u>Standard</u>	Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.
<u>Analysis</u>	The recently adopted Comprehensive Plan Amendment designates the property for Business and destination retail overlay uses.
<u>Standard</u>	Whether the range of uses in the proposed zoning district classification is compatible with the uses permitted on other property in the immediate vicinity.
<u>Analysis</u>	The uses proposed on the site are compatible with surrounding properties; however, the intensity and residential density of the Village component does not create an appropriate transition to the existing, low-density development pattern in the Village of Arcola.
<u>Standard</u>	Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.
<u>Analysis</u>	Adequate utilities, sewer, and water facilities exist on or near the site. The applicant has not sufficiently mitigated transportation or school impacts.
<u>Standard</u>	The effect of the proposed rezoning on the County's ground water supply.
<u>Analysis</u>	The development is proposed to be served by public water and sewer. All wells and drainfields on the property will be properly abandoned.
<u>Standard</u>	The effect of the uses allowed by the proposed rezoning on the structural capacity of the soils.
<u>Analysis</u>	No concerns have been raised regarding the structural capacity of the soils on the site.
<u>Standard</u>	The impact that the uses permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.
<u>Analysis</u>	The application has not adequately addressed vehicular and pedestrian impacts associated with the development.
<u>Standard</u>	Whether a reasonably viable economic use of the subject property exists under the current zoning.
<u>Analysis</u>	A reasonably viable economic use exists under the existing zoning.

<u>Standard</u>	The effect of the proposed rezoning on the environment or natural features, wildlife habitat, vegetation, water quality and air quality.
<u>Analysis</u>	The applicant should retain additional mature vegetation on the subject site. Stormwater management details should be provided at this time.
<u>Standard</u>	Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.
<u>Analysis</u>	The application proposes a mixed-use development in an area planned for such uses.
<u>Standard</u>	Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.
<u>Analysis</u>	The proposal considers the needs of industry and business in the area.
<u>Standard</u>	Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.
<u>Analysis</u>	The proposal would provide a mixed-use development in an area designated as Business Community.
<u>Standard</u>	Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.
<u>Analysis</u>	The proposed rezoning generally conforms with land use policies of the <u>Revised General Plan</u> , which allow non-residential and residential development
<u>Standard</u>	Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County and the capacity of existing and/or planned public facilities and infrastructure.
<u>Analysis</u>	The proposed rezoning is generally consistent with the planned land use in the Route 50 corridor. Impacts on existing development in the Village of Arcola has not been mitigated.
<u>Standard</u>	The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.

Analysis      The applicant is proposing to dedicate 10-acres to the County-owned slave quarter's site in the northern portion of the property. In addition, the applicant is proffering to contribute \$500,000 towards the improvement of the site.

## F. SPECIAL EXCEPTION CRITERIA FOR APPROVAL

*Section 5-600 of the Loudoun County Zoning Ordinance, Additional Regulations for Specific Uses. "...Unless otherwise specified, the following additional regulations may be modified by Special Exception in accordance with the provisions of Section 6-1300. Modifications may be approved by the Board of Supervisors upon a finding that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, preserve the County's historic or archeological heritage, or otherwise exceed the public purpose of the existing regulation. No modification shall be granted to any of the underlying zoning district regulations."*

*Section 6-1310 states " ... (i)in considering a special exception application, the following factors shall be given reasonable consideration, to the extent applicable, in addition to any other standards imposed by this Ordinance ... ":*

Standard      *Whether the proposed special exceptions are consistent with the Comprehensive Plan.*

Analysis      The proposals are consistent with the Revised General Plan, which supports mixed use development within Business Communities and Destination Retail areas.

Standard      *Whether the proposed special exceptions will adequately provide for safety from fire hazards and have effective measures of fire control.*

Analysis      The applicant will be required to provide fire safety measures in accordance with the Building Code.

Standard      *The noise that may be generated by the proposed uses in relation to the uses in the immediate area.*

Analysis      The noise generated by the proposals will be similar to the proposed commercial uses in the area. Noise attenuation measures have been recommended for the hotel sites.

Standard      *The glare or light that may be generated by the proposed uses in relation to uses in the immediate area.*

Analysis      Conditions of approval have been recommended that will require the applicant to provide cut-off and fully shielded lighting that is directed downward and inward toward the site. Maximum intensities for the lighting have been specified for the parking areas as well as the buildings (including the security lighting).

- Standard      *The proposed location, lighting, and types of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.*
- Analysis      Signs will be required to comply with the sign regulations specified in the Revised 1993 Zoning Ordinance or a comprehensive sign plan will be required.
- Standard      *The compatibility of the proposed uses with other existing or proposed uses in the neighborhood, and adjacent parcels.*
- Analysis      The proposed intensity of uses in The Village component do not appear to be compatible with the existing low density development pattern in the Village of Arcola. Staff has recommended reducing the amount of development in this area.
- Standard      *The nature and extent of existing or proposed landscaping, screening, and buffering on the site and in the neighborhood.*
- Analysis      The applicant has requested modifications to the required landscaping and buffering regulations. Staff has requested additional information regarding this request.
- Standard      *Whether the proposed special exceptions will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significance.*
- Analysis      Approval of the proposed hotels and office uses should not result in the loss of any topographic, physical, natural, scenic, archeological, or historic features. Staff has recommended additional tree save and replanting areas.
- Standard      *Whether the proposed special exceptions at the specified location will contribute to or promote the welfare and convenience of the public.*
- Analysis      The special exceptions will contribute to the welfare of the public by providing additional hotel accommodations and office uses in the area.
- Standard      *The traffic expected to be generated by the proposed uses, the adequacy of the access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.*
- Analysis      The applicant's proposed road improvements / contributions do not adequately mitigate transportation impacts or regional impacts.
- Standard      *The effect of the proposed special exception on groundwater supply.*
- Analysis      The proposed uses will be served by public water and sewer facilities.



<b>V. ATTACHMENTS</b> (not available electronically – located in Planning Department)		<b>PAGE</b>
<b>1. Review Agency Comments</b>		
a. Planning Department, Community Planning	(6/13/07)	A-1
b. Environmental Review Team (ERT)	(8/17/07)	A-13
c. Zoning Administration	(9/14/07)	A-16
d. Office of Transportation Services (OTS)	(9/10/07 & 10/4/06)	A-30
e. Virginia Department of Transportation (VDOT)	(9/18/07)	A-32
f. Public Schools	(8/22/07)	A-33
g. Fire and Rescue Services	(6/5/07)	A-36
h. LCSA	(4/10/07)	A-37
i. County Attorney	(8/22/07)	A-38
2. Disclosure of Real Parties in Interest		A-48
3. Applicant's Statement of Justification		A-64
4. Applicant's Response to Referral Agency Comments		A-92
5. Proffer Statement		A-145